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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,975

03/30/2004

Kazumasa Makino

119306

2989

25944 7590 11/20/2007  
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EXAMINER

VERBITSKY, GAIL KAPLAN

ART UNIT

PAPER NUMBER

2855

MAIL DATE

DELIVERY MODE

11/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/811,975

Applicant(s)

MAKINO, KAZUMASA

Examiner

Gail Verbitsky

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-16,23-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-16 and 23-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: attachment # 1 (11201/2007).

## DETAILED ACTION

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first storage unit, the second storage unit, the first guide member, the second guide member, the first storage frame, the second storage frame, the first attaching portion, the second attaching portion, the attaching member (claim 1, 6, 8, 13, 15), the first storage section, the second storage section (claims 15, 16) must be shown **and identified using the same terminology as in claims and specification** or the feature(s) canceled from the claim(s) 1, 3-10, 12-16, 23-36. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3-10, 12-16, 23-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this, case, the limitation critical to the invention "first attaching portion is included in the second attaching portion" has not been neither clearly described in the specification nor clearly shown in the drawings. Please note, that the holes 54, etc. are shown but it is not clear from the claims and specification that the holes as described in the specification and the attaching portions as claimed in the claims are the same structures.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-10, 12-16, 23-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this case, the claim language is confusing due to the reasons stated above in para 4.

Please note since otherwise has not been described, in the rejection on the merits, the Examiner can consider that the limitation stating «the first attaching portion is included in the second attaching portion» means that the first attaching portion is the second attaching portion.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-10, 12-16, 23-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Okamura et al. (U.S. 5191382) [Okamura].

Okamura discloses in Figs. 8-9 and 12-13 a device in the filed of applicant's endeavor comprising all the subject matters described by applicant in the preamble of the claims including an image forming device 50 which along with a part B, a frame E supporting the image forming device 50 constitutes an image forming unit/ system A, wherein the image forming device 50 and the support C are at the bottom of the image forming unit; a first attaching portion F which is a part of the second attaching portion D, when used to attach a first storage frame/ unit I, it is acting as the first attaching portion, when used to attached the second storage frame/ unit H, it is acting as the second attaching portion, the attaching portions are included in each other. the attaching means/ portions D are on the edges of the first and second storage frames/ guides .

The frame E (Fig. 9) along with the support C included in the frame E and storages have protrusions/ pins 105 and holes on its edges for attachment to each other.

Since (Fig. 12) the second storage frame includes the first storage frame, the 1<sup>st</sup> attaching portion is acting as both, the first and the second attaching portions, and thus, it can be considered that the second attaching portion includes the first attaching portion.

It is inherent, that everything above the storage frames could be considered as covers (first, second) G. Okamura discloses a paper supply roller 7. (The numerals A-I have been added by the Examiner, see attachment # 1, 11/11/2007 to the Office Action).

### ***Response to Arguments***

Applicant's arguments filed on November 02, 2007 have been fully considered but they are not persuasive because it is still not clear what applicant means by "first and second attaching portions" since the applicant uses different terminology for the same structures throughout the claims and specification. This is the Examiner's position that it is very important for understanding of the invention, especially when the invention comprising a plurality of structures, that the applicant identifies all the structures claimed in the claims in the drawings and specification using the same language throughout the claims and specification. Applicant's argument that that all structures are shown in the

Application/Control Number:  
10/811,975  
Art Unit: 2855

Page 6

drawings is not persuasive because not all of them identified according to the claim language, therefore, the claim language is still confusing.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 and not mentioned above disclose related devices and methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gail Verbitsky whose telephone number is 571/ 272-2253. The examiner can normally be reached on 7:30 to 4:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571/ 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GKV

  
Gail Verbitsky  
Primary Patent Examiner, TC 2800

November 11, 2007

10811975

CASSETTE EXTENDER

102

image forming device

1st and 2nd  
attaching portion  
F, D

2nd  
storage  
frame

NO. 4

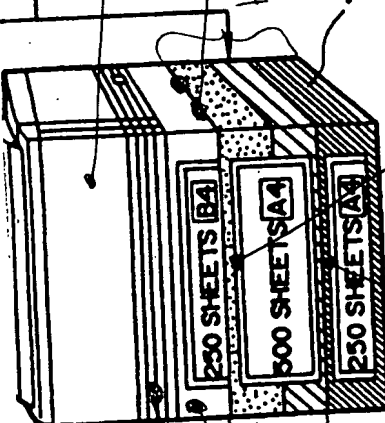
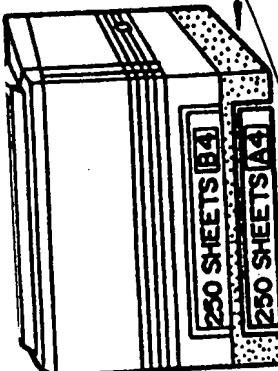


PAPER FEEDER

1st  
storage  
frame

support  
frame

NO. 3



attachment #1  
(11/11/2007)